

EXECUTIVE ORDER NO. 22-24

EXPANDING DECLARATION OF EMERGENCY DUE TO SURGE IN RESPIRATORY INFECTIONS IN OREGON; REPEALING AND REPLACING EXECUTIVE ORDER 22-23

ORS 401.165 *et seq.* empowers the Governor to declare a state of emergency upon determining that an emergency has occurred or is imminent. Pursuant to that authority, on November 13, 2022, in Executive Order 22-23, I declared an emergency due to the spread of respiratory viruses in children, including Respiratory Syncytial Virus (RSV), and the related strain on pediatric hospital capacity.

Since that time, the conditions described in Executive Order 22-23 have persisted and have continued to deteriorate due to ongoing surges in respiratory infections, including but not limited to RSV, Influenza, and COVID-19 in Oregon, and now, adult hospital capacity, in addition to pediatric hospital capacity, are both critically strained.

In addition to those findings described in Executive Order 22-23, which continue, the following conditions have emerged:

- RSV pediatric hospitalizations have surpassed previous records, with more than 90 pediatric hospital admissions during the week ending on November 19, 2022.
- Influenza hospitalization rates are rising rapidly with anticipated rapid increases sustained over many weeks. These hospitalizations will disproportionately impact young children, elderly and pregnant adults, and communities of color and tribal communities.
- COVID-19 hospitalizations have seen steep increases, returning to levels unseen since July 2022, and hospitalizations are modeled to continue to increase through at least mid-December.
- Statewide borders in emergency rooms (people who are being treated in Emergency Rooms for lack of an available inpatient hospital bed to which they can be transferred) are at record levels.
- Statewide overall hospital bed vacancy rates and intensive care unit vacancy rates are each below 5%.



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In order to ensure the state and local authorities have the resources needed to respond to both adult and pediatric respiratory infections, I find it necessary to expand the declaration of emergency I made in Executive Order 22-23.

NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:

1. Pursuant to ORS 401.165 et seq., I find that the spread of respiratory viruses in children and adults in Oregon, including but not limited to Respiratory Syncytial Virus (RSV), Influenza, and COVID-19, and related strain on hospital capacity, has created a threat to public health and safety, and constitutes a statewide emergency under ORS 401.025(1). This declaration continues and expands the emergency declaration made in Executive Order 22-23.
2. The Oregon Health Authority and the state Public Health Director shall take all actions necessary and authorized under ORS 401.651 to 401.670, ORS 433.443, and ORS 431A.015 to respond to, control, mitigate, and recover from the emergency, including but not limited to:
 - (a) Deploying emergency volunteer health care professionals under ORS 401.661;
 - (b) Designating emergency health care centers under ORS 401.657.
3. If needed, I will request assistance through the Emergency Management Assistance Compact under ORS 402.105 and the Pacific Northwest Management Assistance Arrangement under ORS 402.250.
4. The Department of Emergency Management shall, in consultation with the Director of the Oregon Health Authority and state Public Health Director, if necessary, take any action authorized under ORS 433.441. All state government agencies shall utilize and employ state personnel, equipment, and facilities for any and all activities as requested and coordinated by the Department of Emergency Management.



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5. As necessary to respond to the emergency, I authorize all executive agencies of state government to take, upon further direction from me or my office, any actions authorized under the provisions set forth in ORS 401.168 through ORS 401.192.
6. State agencies shall develop and implement procedures, including waiving rules or adopting temporary rules within the agency's authority, consistent with recommendations from the state Public Health Director, designed to prevent or alleviate the public health threat.
7. Executive Order 22-23 is repealed and replaced with this Executive Order.
8. Nothing in this Executive Order is intended to exempt employers from the requirements of any collective bargaining agreements they may have entered into. To the extent practicable, this Executive Order should be interpreted consistently with the requirements of any applicable and existing collective bargaining agreements.

To ensure that state and local authorities have access to resources during the RSV season, this state of emergency shall exist until 12:01 a.m. on March 6, 2023, unless extended or terminated earlier by the Governor.

Done at Salem, Oregon this 7th day of December, 2022.



Kate Brown

Kate Brown
GOVERNOR

ATTEST:

Shemia Fagan

Shemia Fagan
SECRETARY OF STATE